

LEGISLATIVE COUNCIL

Wollongong Sportsground and Old Roman Catholic Cemetery Legislation Amendment (Transfer of Land) Bill

Schedule of the **Government amendments** agreed to in Committee of the Whole
on Wednesday 5 December 2001.

No. 1 Page 2, proposed section 5 (4), line 29. Omit “Issue C”. Insert instead “Issue E”.

No. 2 Page 3, Schedule 1 [1], line 9. Omit “Issue C”. Insert instead “Issue E”.

No. 3 Page 5, Schedule 1. Insert after line 23:

[8] Schedule 4 Savings and transitional provisions

Insert after clause 4:

4A Survey of Portion 95

- (1) This clause applies to all that piece or parcel of land situated in the County of Camden Parish of Wollongong at Wollongong being Portion 95, as referred to in paragraph (b) of Part 1 of Schedule 1.
- (2) The Trust must cause the land to which this clause applies to be surveyed as soon as practicable after the commencement of this clause to determine the correct position of the boundaries of the land.

No. 4 Page 5, Schedule 1. Insert before line 24:

[9] Schedule 4, clause 4B

Insert before clause 5:

4B Removal and reburial of remains in Portion 95

- (1) This clause applies to all that piece or parcel of land situated in the County of Camden Parish of Wollongong at Wollongong being Portion 95, as referred to in paragraph (b) of Part 1 of Schedule 1, other than any part of that land on which is situated (as on the day this clause commences) a road, building or other permanent structure.
- (2) The Catholic Cemeteries Board (*the Board*) may locate, exhume, and remove the remains of any person buried in the land to which this clause applies.
- (3) Any such remains located by the Board must be reburied in a suitable position in Andrew Lysaght Park determined by the Board following consultation with the Council of the City of

Wollongong (as trustees of the land comprising the Park).

- (4) The Trust must reimburse the Board for such reasonable costs as the Board incurs in the exercise of its functions under subclause (2) as the Trust has approved of in writing.
- (5) The Trust must grant the Board access to trust lands to enable the Board to exercise its functions under subclause (2).
- (6) The Trust must not commence any construction work on the land to which this clause applies unless the Board has first been given a reasonable opportunity to exercise its functions under subclause (2). The Board must not unreasonably delay in exercising those functions.
- (7) This clause has effect despite the provisions of any other Act or law.

No. 5 Page 6, Schedule 2 [1], line 8. Omit “Issue C”. Insert instead “Issue E”.

No. 6 Page 6, Schedule 2 [2], proposed section 4 (4) (c), lines 20-22. Omit all words on those lines. Insert instead:

- (c) does not involve any commercial activities, and
- (d) subject to the preceding paragraphs, is consistent with any applicable plan of management adopted under the *Crown Lands Act 1989*.

No. 7 Page 6, Schedule 2 [2], proposed section 4 (5), lines 23-30. Omit all words on those lines. Insert instead:

- (5) Nothing in subsection (3) or (4) prevents the granting of, or affects the power to grant, easements through, on, in or above the public park to permit the overhang of any structure or the roof of any building erected on the trust lands of the Wollongong Sportsground Trust.

No. 8 Page 7, Schedule 2. Insert after line 25:

12 Council must prepare draft plan of management

- (1) The Council must prepare a draft plan of management for the land described in the First Schedule as soon as practicable after the commencement of this section.
- (2) Division 6 of Part 5 of the *Crown Lands Act 1989* applies to and in respect of a draft plan of management prepared under this section in the same way as it applies to and in respect of a draft plan of management prepared by a reserve trust under that Act.
- (3) Without limiting section 112 (4) of the *Crown Lands Act 1989*, the draft plan of management must include a provision for the delineation of the boundaries of the land (whether by means of a fence or otherwise).